

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

R.304535 Gf/Os

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/DE2004/001308

International filing date (day/month/year)

23.06.2004

Priority date (day/month/year)

28.08.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

ROBERT BOSCH GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	2, 3, 5-7	YES
	Claims	1, 4	NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

1 This report makes reference to the following documents:

D1: EP 0 798 515 A

D2: DE 10020328 A

2 INDEPENDENT CLAIM 1

2.1 Document D1 discloses (the references between parentheses apply to this document) a sheathed-element glow plug (1) for an internal combustion engine consisting of a plug housing (2), a connection part for the electrical current that is located on said plug housing, and a tube (3) comprising an embedded heating element (8), wherein the connection part and the heating element are electrically coupled by means of a connection bolt (5a, 11) and a contact element (6), characterised in that the connection bolt and the contact element are partially surrounded by an electrically insulating plastic sleeve (4) inside the housing (2) (see column 2, lines (39-44)).

2.2 The present application does not therefore meet the requirements of PCT Article 33(1) because the subject

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citations and explanations supporting such statement

matter of claim 1 is not novel within the meaning of PCT Article 33(2).

3 DEPENDENT CLAIMS 2-7

The additional features of dependent claims 2-7 are already known:

- for claim 2, see D2,
- for claims 3, 5, see D2, column 7, lines 14-20 and figures 1, 5,
- for claim 4, see D1, column 2, lines 42-44,
- for claims 6,7, see D2, column 6, line 61-column 7, line 13.

4 GENERAL REMARKS

4.1 The passage "wherein the connection region and the heating element" in claim 1 should read "wherein the connection part and the heating element."

4.2 Claims 1 and 2 do not contain any basis for the back-reference "said casing" in claim 3. The indefinite article "a casing" should be used.

4.3 It cannot currently be seen what portion of the application could form the basis for a new, allowable claim. If the applicant nevertheless considers an individual subject matter as patentable, then he should submit an independent claim directed to this subject matter written in conformity with PCT Rule 6.3(b). The response should indicate both the difference between the

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Box No. V

Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability;
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subject matter of the new claim and the prior art (D1)
and the importance of this difference.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted: